



4. Ultimately, the Escrow was funded through a deposit into a Woods, Fuller, Shultz & Smith P.C. (“Woods Fuller”) trust account maintained at Dacotah Bank in Sioux Falls, SD, in the amount of \$3.5 million. The account statement for October 15, 2014, is attached as Exhibit B.

5. The Court entered an Order Re: White Oak Global Advisors, LLC’s Motion for Approval of Settlements of Certain Objections to White Oak’s Escrow Motion (the “Order”) (Doc. 770) on or about February 4, 2014.

6. The Order, among other things, specifically requires that any withdrawals from the Escrow be made only pursuant to an Order of the bankruptcy court.

7. The validity, priority and extent of Scott Olson’s lien/claim was ultimately tried to the bankruptcy court in May of 2014.

8. The Court entered an Amended Decision re: Claim of Scott Olson Digging, Inc. (Doc. 328 in Adversary No. 13-1016) on or about September 22, 2014, holding that Scott Olson had a claim in the amount of \$ 205,104.07, but left open the issue of interest and attorney’s fees pending additional proceedings. Subsequently, the Court held on November 6, 2014, that Scott Olson was entitled to pre-petition interest of \$109,014.22. Post-petition interest and attorney’s fees remain before the Court.

9. Given the bankruptcy court’s decisions, White Oak and Scott Olson agree that the sum of \$900,000.00 shall remain in the escrow and the balance of the funds in the

account may be distributed to White Oak. Woods Fuller is authorized to immediately wire the released funds to White Oak.

10. This partial release of Escrow funds only affects the rights of White Oak and Scott Olson and no other parties to the bankruptcy, including any pending adversaries.

11. This Stipulation is without prejudice to White Oak requesting additional escrow releases by stipulation or by motion and further does not waive any objections that Scott Olson might ultimately have to such future requests.

**WHITE OAK GLOBAL ADVISORS, LLC**

WOODS, FULLER, SHULTZ & SMITH P.C.

Dated: November 17<sup>th</sup>, 2014

By

  
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Dated: November 13, 2014

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